



Department of Justice

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LEADERS OF NATIONWIDE ILLEGAL ALIEN EMPLOYEE-LEASING CONSPIRACY INDICTED

WASHINGTON, D.C. – Three individuals have been arrested and three others charged in a criminal indictment regarding an alleged nationwide employee-leasing conspiracy that used hundreds of illegal aliens at farms, dairies and factories in the United States, the Justice Department announced today.

The individuals arrested this morning were: Jaroslaw Sawczuk, a 37-year-old Polish citizen formerly of Coral Springs, Florida; Jozef Bronislaw Bogacki, a 42-year-old native of Poland and naturalized U.S. citizen residing in Clearwater, Florida; and Pavel Preus, a 38-year-old Polish citizen residing in Pompano Beach, Florida. Also charged in the indictment, returned by a federal grand jury in Ft. Lauderdale, Florida on Jan. 13, 2005 and unsealed today, were: Lucia Kanis, a 30-year-old Slovak citizen; Ivan Kanis, a 38-year-old Slovak citizen residing in the Slovak Republic; and Andor Pikali, a 36-year-old Slovak citizen residing in Coral Springs, Florida.

Following his arrest in Coral Springs, Florida, Preus made his initial appearance this morning before United States Magistrate Judge Barry S. Seltzer in federal court in Ft. Lauderdale. Bogacki and Sawczuk, who were arrested in Clearwater, Florida, are scheduled to make their initial appearance this afternoon before U.S. Magistrate Judge Elizabeth A. Jenkins in Tampa, Florida. The other three defendants are at large and believed to be overseas.

The 26-count indictment alleges that from 1995 to the present, the defendants conspired to provide unauthorized workers, mostly East Europeans who had entered the United States on tourist visas, to American companies with whom the defendants had contracted to provide legally authorized foreign workers. The indictment alleges that more than 550 illegal aliens were brought into the United States by the defendants. According to the indictment, the alien workers obtained tourist visas to enter the United States and were employed illegally in the Midwest and Southeastern United States on farms, in dairies and in factories. The defendants allegedly contracted with American employers to provide workers, for whom the defendants were to pay payroll taxes and workers' compensation deductions. The indictment alleges that the defendants did not pay the taxes or workers' compensation deductions. The indictment further alleges that during the course of the conspiracy, the defendants failed to pay \$6 million in payroll taxes and laundered in excess of \$20 million.

Charges against the defendants include conspiracies to commit visa fraud, wire fraud, and mail fraud, money laundering, and tax fraud. If convicted, the defendants face maximum penalties of up to 20 years in prison and fines of up to \$500,000. In addition, the government is seeking forfeiture of the defendants' assets.

“These defendants allegedly abused our immigration laws and defrauded the United States, all in an attempt to enrich themselves by exploiting vulnerable foreigners,” said Assistant Attorney General Christopher A. Wray of the Criminal Division. “Those who think they can profit from such illicit activity are wrong, and offenders will be vigorously prosecuted.”

“The defendants, as charged, chose profits over compliance with our country’s immigration and employment laws,” said U.S. Attorney Marcos Daniel Jiménez of the Southern District of Florida. “In using illegal aliens to generate their profits, the defendants not only took advantage of these foreigners, but also potentially compromised the safety of our citizens. I commend the hard work and dedication of the prosecutors and our law enforcement partners in piercing this criminal enterprise.”

“We will not allow criminal organizations to exploit America’s immigration system for profit,” said Michael J. Garcia, Department of Homeland Security Assistant Secretary for Immigration and Customs Enforcement (ICE). “ICE is restoring integrity to our nation’s immigration system by ensuring compliance with immigration laws through enforcement actions against violators and by working with responsible businesses to promote vigilance in their hiring practices.”

“Egregious criminal conduct will be jointly pursued with our law enforcement partners,” said Special Agent in Charge Brian J. Wimpling, Internal Revenue Service Criminal Division, Miami Field Office. “Those indicted today have used individuals they believed to be disadvantaged to circumvent the collection of taxes due to the United States. The use of unsuspecting foreigners to unlawfully profit from our tax system will not be tolerated.”

The joint investigation, known as Operation Pisces, started in 2002. The investigation was led by the Kansas City Office of U.S. Immigration and Customs Enforcement (at the time, the INS); the U.S. Department of Labor, Office of the Inspector General, Labor Racketeering and Fraud Investigations; and the Miami, Florida field office of the Internal Revenue Service. Subsequently, the Miami division of the U.S. Postal Inspection Service joined the investigation. The case is being prosecuted by Trial Attorneys Michael E. Barr and Judith O’Sullivan of the Domestic Security Section of the Criminal Division at the U.S. Department of Justice, and by Assistant United States Attorney Jeffrey H. Kay of the Ft. Lauderdale office of the United States Attorney’s Office for the Southern District of Florida.

An indictment is merely a formal accusation. It is not proof of guilt and the defendant is presumed innocent until he or she is proven guilty.

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